

**UNITED STATES DISTRICT COURT**  
for the  
**Eastern District of North Carolina**

United States of America

v.

Felipe Macedo

)

)

)

Case No: 7:05-CR-97-14FL

USM No: 70054-056

Date of Original Judgment: February 22, 2007

Date of Previous Amended Judgment: \_\_\_\_\_

(Use Date of Last Amended Judgment if Any)

) Thomas P. McNamara

*Defendant's Attorney*

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_

The defendant is not eligible for the retroactive reduction as the offense of conviction does not involve crack cocaine.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated February 22, 2007  
shall remain in effect. **IT IS SO ORDERED.**

  
*Louise W. Flanagan*

Judge's signature

Order Date: September 10, 2012

Effective Date: \_\_\_\_\_  
(if different from order date)

Louise W. Flanagan, U.S. District Judge  
*Louise W. Flanagan*  
Printed name and title